

STATEMENT OF BASIS (AI No. 30490)

for draft Louisiana Pollutant Discharge Elimination System permit No. **LA0104345** to discharge to waters of the State of Louisiana.

THE APPLICANT IS: IC RailMarine Terminal Company
IC RailMarine Terminal
7790 LA Highway 44
Convent, LA 70723

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Lisa Kemp

DATE PREPARED: December 2, 2008

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

B. NPDES permit – NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits –
LPDES permit effective date: December 1, 2003
LPDES permit expiration date: November 30, 2008

D. Date Application Received: June 3, 2008

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - trans-shipment bulk storage facility**

This is an existing trans-shipment bulk storage facility. The primary function of the facility is trans-shipment and storage of industrial bulk commodities (see Attachment I of the permit for a list of commodities). There is a single berth operation with two ship unloading cranes and a ship loader. There is also a barge loading and unloading operation; railcar loading and unloading; as well as some truck loading operations. The bulk materials are stored on soil pads inside of a bermed (railroad track loop) area. Contact stormwater is routed to the stormwater impoundment to remove suspended solids and is discharged to the Mississippi River through Outfall 001. The treated sanitary wastewater is discharged through internal Outfall 101. Bulk commodity sediments that accumulate at the bottom of the stormwater impoundment will be removed and dried and sold as a lower quality product.

IC RailMarine Terminal Company is planning on constructing three urea ammonium nitrate (UAN) storage tanks on-site that will have secondary containment. Product

Statement of Basis for
 IC RailMarine Terminal Company,
 LA0104345, AI No. 30490
 Page 2

loading operations to truck and railcar are anticipated to occur. Stormwater runoff from the storage tank and product loading areas will be routed to the existing permitted stormwater impoundment when discharge events occur. Construction activities for the proposed UAN storage tanks and loading operations will occur within the existing rail loop.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II as per LAC33:IX.1319 Table I and SIC 4463. In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463
3. Wastewater Type: III
4. SIC code: 4491, 4226

C. LOCATION - 7790 Highway 44, Mississippi River Mile Marker 161, in Convent, St. James Parish, Latitude 30° 02' 47", Longitude 90° 50' 07"

D. DRINKING WATER INTAKE – This facility is located at Mississippi River Mile 161. The nearest drinking water intake, St. James Waterworks #1, Convent, is located at Mississippi River Mile 154.1 on the East Bank.

3. OUTFALL INFORMATION

Outfall 001

Discharge Type:	stormwater runoff from the materials storage area, vehicle washdown wastewater, dust suppression wastewater, and previously monitored treated sanitary wastewater from Outfall 101
Treatment:	settling, primary sedimentation in stormwater impoundment
Location:	at the point of discharge from the stormwater impoundment, prior to combining with other waters (Latitude 30° 02' 42", Longitude 90° 50' 11")
Flow:	intermittent; 7600 gpm (pump rate)
Discharge Route:	via pipe to the Mississippi River

Outfall 101

Discharge Type:	treated sanitary wastewater
Treatment:	extended aeration activated sludge process and hypochlorite disinfectant
Location:	at the point of discharge from the sewage treatment facility, prior to combining with other waters (Latitude 30° 02' 51", Longitude 90° 49' 46")
Flow:	1500 gpd
Discharge Route:	through Outfall 001 to the Mississippi River

Note: Outfalls 002 and 003 were deleted in the previous permit.

Statement of Basis for
IC RailMarine Terminal Company,
LA0104345, AI No. 30490
Page 3

4. RECEIVING WATERS

The facility is located in subsegment 040403 of the Lake Pontchartrain Basin. However, the discharge from IC RailMarine is directly to the Mississippi River in subsegment 070301, defined at LAC 33:IX.1123. Table 3 as Mississippi River – from Monte Sano Bayou to Head of Passes. Therefore, subsegment 070301 will be used in the development of permit requirements.

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

5. TMDL STATUS

Subsegment 070301, Mississippi River, is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDLs have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale, Page 6.

Changes From the Previous Permit:

Outfall 001

1. The Report requirement for Total Phosphorus has been deleted because the Mississippi River is no longer listed as being impaired with Phosphorus. A review of the data contained in DMRs submitted for the past four years shows that Total Phosphorus never exceeded a concentration of 0.733 mg/L.

Outfall 101

1. Monthly Average limitations have been included for BOD₅, TSS, and Fecal Coliform based on LAG530000, effective November 1, 2007.
2. The Weekly Average Fecal Coliform limitation has been changed to Daily Maximum based on current guidance for similar discharges from other industrial facilities.

Commodity List

1. Urea Ammonium Nitrate has been added to the commodity list. Effluent limitations retained from the previous permit are adequate for the addition of this commodity.

Statement of Basis for
IC RailMarine Terminal Company,
LA0104345, AI No. 30490
Page 4

7. COMPLIANCE HISTORY/COMMENTS

- A. OEC – There are no open, appealed, or pending OEC enforcement actions as of November 20, 2008.
- B. DMR Review/Excursions – DMRs reviewed for period November, 2006 through November, 2008 showed the following excursion:

Date	Parameter	Outfall	Reported Value	Permit Limits
Dec., 2007	TSS	101	75 mg/L	45 mg/L

- C. Inspections – There are no recent inspections on file.

8. EXISTING EFFLUENT LIMITS

Outfall 001 – the discharge of stormwater runoff from the materials storage area, vehicle washdown wastewater, dust suppression wastewater, and previously monitored treated sanitary wastewater from Outfall 101

Pollutant	Limitation		Frequency
	Monthly Avg.	Daily Max	
	Mg/L		
Flow (MGD)	Report	Report	1/month
TSS	---	50	1/month
Oil and Grease	---	15	1/month
COD	---	125	1/month
Chlorides (as Cl)	---	Report	1/month (*1)
Total Copper	---	Report	1/month (*1)
Ammonia (as N)	30	60	1/month (*1)
Total Phosphorus	---	Report	1/month(*1)
pH (standard units)	6.0 (min)	9.0 (max)	1/month

(*1) When specific commodities are being handled, stored, or transferred.

Outfall 101 – treated sanitary wastewater

Pollutant	Limitation		Frequency
	Monthly Avg.	Weekly Avg.	
	mg/L		
Flow	Report	Report	1/ 6 months
BOD ₅	---	45	1/ 6 months
TSS	---	45	1/ 6 months
Fecal Coliform colonies/100ml	---	400	1/ 6 months

Statement of Basis for
IC RailMarine Terminal Company,
LA0104345, AI No. 30490
Page 5

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid sturgeon which is listed as a threatened species. Consultation with the Service is required if the proposed permit is in sensitive waters and contains one or more listed substances. The draft permit is in listed sensitive waters and contains monitoring of Copper. Therefore, this draft permit has been submitted to the FWS for review in accordance with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Statement of Basis for
 IC RailMarine Terminal Company,
 LA0104345, AI No. 30490
 Page 6

Rationale for IC RailMarine Terminal Company

- Outfall 001** - stormwater runoff from the materials storage area, vehicle washdown wastewater, dust suppression wastewater, and previously monitored treated sanitary wastewater from Outfall 101 (estimated flow is intermittent)

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	Mg/L		
Flow (MGD)	Report	Report	LAC 33:IX.2707.1.1.b.
TSS	---	50	Previous permit; BPJ; (*1)
Oil and Grease	---	15	Previous permit; (*2)
COD	---	125	Previous permit; BPJ
Chlorides (as Cl)	---	Report	Previous permit; BPJ
Total Copper	---	Report	Previous permit; BPJ
Ammonia (as N)	30	60	Previous permit; BPJ; (*3)
pH (standard units)	6.0 (min)	9.0 (max)	Previous permit; (*2)

Treatment: settling, primary sedimentation in stormwater impoundment

Monitoring Frequency: 1/ month for Flow, TSS, Oil and Grease, COD, and pH.

Chlorides, Total Copper, and Ammonia must be monitored 1/month while the commodities containing one or more of the specified chemicals are being handled and/or stored at the facility, and once a month for two months thereafter. If the effluent limitation is exceeded during either of these two additional monitoring periods, then monitoring shall continue once per month until the limit is met for two consecutive months at which time monitoring for this parameter shall cease. See Part II, Paragraph J of the draft permit.

Limits Justification:

The TSS limitation is BPJ, based on the previous permit, Effluent Limitation Guidelines for the Steam Electric Power Generating Point Source Category, coal pile runoff - 40 CFR 423.15 (k), and existing individual industrial permits for similar facilities.

Oil and Grease and pH limitations are based on the previous permit and current LDEQ stormwater guidance (*2).

The COD limitation is based on the previous permit and BPJ to detect the presence of both organic and inorganic contaminants because the commodities stored onsite are both organic and inorganic.

Chlorides and Total Copper reporting is retained from the previous permit because of the potential for the facility to handle and/or store commodities which contain these chemicals. Chlorides and Total Copper will continue to have Report Only requirements due to the fact that the facility has not analyzed the effluent for these parameters since they have yet to

Statement of Basis for
 IC RailMarine Terminal Company,
 LA0104345, AI No. 30490
 Page 7

handle, store, or transfer salt or copper concentrate.

Ammonia limitations are retained from the previous permit and through BPJ because the facility has the potential to handle and/or store commodities which contain this chemical. The limitations were based on LA0003638, Outfall 202.

(*1) 40 CFR 423.15 (k), EPA Guidelines for Steam Electric Power Generating (coal pile runoff)

(*2) LDEQ's guidance on stormwater, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6)

(*3) LA0003638, Outfall 202

2. **Outfall 101** - treated sanitary wastewater (estimated flow is 1500 gpd)

Pollutant	Limitation		Reference
	Monthly Avg	Weekly Avg	
	mg/L		
Flow	Report	Report	Previous permit (monthly average), Similar discharges* (BPJ), LAG530000
BOD ₅	30	45	Previous permit (daily max), Similar discharges* (BPJ), LAG530000
TSS	30	45	Previous permit (daily max), Similar discharges* (BPJ), LAG530000
Fecal Coliform colonies/100ml	200	400 (Daily Max)	Previous permit (daily max), Similar discharges* (BPJ), LAG530000

Treatment: extended aeration activated sludge process and hypochlorite disinfectant

Monitoring Frequency: Semiannually for all parameters at the point of discharge from the STP prior to mixing with other waters.

Limits Justification: Limits and monitoring frequencies are based on the previous permit, current guidance for similar discharges from other industrial facilities, and the Class I Sanitary General Permit, LAG530000 effective November 1, 2007.

* Existing permits for similar outfalls

BPJ Best Professional Judgement

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

Statement of Basis for
IC RailMarine Terminal Company,
LA0104345, AI No. 30490
Page 8

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.h, facilities classified as SIC code 4491, 4226 are not considered to have storm water discharges associated with industrial activity unless they have "vehicle maintenance shops, equipment cleaning operations, or airport deicing operations." This facility does have equipment cleaning operations. Furthermore, there is potential for stormwater contamination from loading, unloading, and storage of commodities.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance**, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II of the permit).